

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In re: BAIR HUGGER FORCED AIR  
WARMING DEVICES PRODUCTS  
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:

*Petitta v. 3M Co.*, 16-cv-3878

**SECOND DECLARATION OF  
BENJAMIN W. HULSE IN SUPPORT  
OF DEFENDANTS' MOTION FOR A  
PERMANENT INJUNCTION  
BARRING PLAINTIFF JOHN  
PETITTA FROM RELITIGATING  
HIS CLAIMS IN STATE COURT**

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Benjamin W. Hulse, being first duly sworn, deposes and declares:

I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company and Arizant Healthcare Inc. (together, "Defendants") in this litigation. I submit this declaration in support of Defendants' Reply Motion for a Permanent Injunction Barring Plaintiff John Petitta ("Petitta") from Relitigating His Claims in State Court. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

1. Attached as Defendants' Exhibit 6 is Plaintiff's Motion and Brief in Support of Transfer of Actions to the District of Minnesota Pursuant to 28 U.S.C. § 1407 for Coordinated or Consolidated Pretrial Proceedings, filed on August 21, 2015 before the Judicial Panel on Multidistrict Litigation.

2. Attached as Defendants' Exhibit 7 is a hearing transcript excerpt of Defendants' Motion for a Protective Order and Petitta's Motion to Compel, collectively heard on June 19, 2019 in Texas state court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 10<sup>th</sup> day of July, 2019.

*s/Benjamin W. Hulse*

Benjamin W. Hulse